

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEVIN LEE JAMES SCHMIDT,

Petitioner,

v.

GEORGE JAIME, Warden,

Respondent.

Case No. [18-cv-06495-YGR](#) (PR)

**ORDER GRANTING REQUEST FOR
EXTENSION OF TIME FOR
PETITIONER TO FILE OPPOSITION
TO MOTION TO DISMISS**

Before the Court is a motion filed by Petitioner on June 3, 2019, in which he “move[s] for a motion to continue despite [the] court[’]s unprejudicial dismissal for untimeliness.” Dkt. 10 at 1. The Court notes that the instant action has not been dismissed, and instead Respondent has filed a motion to dismiss. *See* Dkt. 7. While not entirely clear, it seems that Petitioner is requesting an extension of time to file his opposition to the pending motion to dismiss. Therefore, the Court construes his motion to be a request for an extension of time to file his opposition.

Having read and considered Petitioner’s request, and good cause appearing,

IT IS HEREBY ORDERED that Petitioner’s request for an extension of time is GRANTED. Dkt. 10. The time in which Petitioner may file his opposition to Respondent’s motion to dismiss will be extended up to and including **twenty-eight (28) days** from the date of this Order.

Respondent shall file a reply brief no later than **fourteen (14) days** after the date Petitioner’s opposition is filed.

This Order terminates Docket No. 10.

IT IS SO ORDERED.

Dated: June 25, 2019


YVONNE GONZALEZ ROGERS
United States District Court Judge